

1 RENE L. VALLADARES  
Federal Public Defender  
2 Nevada State Bar No. 11479  
KEISHA K. MATTHEWS  
3 Assistant Federal Public Defender  
411 E. Bonneville, Ste. 250  
4 Las Vegas, Nevada 89101  
(702) 388-6577/Phone  
5 (702) 388-6261/Fax  
Keisha\_Matthews@fd.org  
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7 Attorney for Sharett Annette Yazzie

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9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 SHARETT ANNETTE YAZZIE,  
15 Defendant.  
16

Case No. 2:22-mj-00557-BNW

**STIPULATION TO CONTINUE**  
**BENCH TRIAL**  
(Third Request)

17 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,  
18 United States Attorney, and Christopher Burton, Assistant United States Attorney, counsel  
19 for the United States of America, and Rene L. Valladares, Federal Public Defender, and  
20 Keisha K. Matthews, Assistant Federal Public Defender, counsel for Sharett Annette Yazzie,  
21 that the bench trial currently scheduled on February 8, 2023, at the hour of 9:00 a.m., be vacated  
22 and continued to a date and time convenient to the Court, but no sooner than sixty (60) days.

23 This Stipulation is entered into for the following reasons:

- 24 1. Defense needs additional time to prepare for trial.  
25 2. The defendant is out of custody and agrees with the need for the continuance.  
26 3. The parties agree to the continuance.

1           4.       Additionally, denial of this request for continuance could result in a miscarriage  
2 of justice. The additional time requested by this Stipulation is excludable in computing the time  
3 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United  
4 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,  
5 Section 3161(h)(7)(B)(i), (iv).

6           This is the third request for a continuance of the bench trial.

7           DATED this 3rd day of February, 2023.

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9           RENE L. VALLADARES  
10          Federal Public Defender

          JASON M. FRIERSON  
          United States Attorney

11          /s/ *Keisha K. Matthews*  
12          By \_\_\_\_\_  
13          KEISHA K. MATTHEWS  
          Assistant Federal Public Defender

          /s/ *Christopher Burton*  
14          By \_\_\_\_\_  
15          CHRISTOPHER BURTON  
16          Assistant United States Attorney

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

SHARETT ANNETTE YAZZIE,

Defendant.

Case No. 2:22-mj-00557-BNW

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND ORDER**

**FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Defense needs additional time to prepare for trial.
2. The defendant is out of custody and agrees with the need for the continuance.
3. The parties agree to the continuance.
4. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

**CONCLUSIONS OF LAW**

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

1 The continuance sought herein is excludable under the Speedy Trial Act, title 18, United  
2 States Code, Section 3161(h)(7)(A), when the considering the facts under Title 18, United  
3 States Code, §§ 316(h)(7)(B) and 3161(h)(7)(B)(iv).

4 **ORDER**

5 IT IS THEREFORE ORDERED that the bench trial currently scheduled on Wednesday,  
6 February 8, 2023 at 9:00 a.m., be vacated and continued to April 19, 2023 at  
7 9:00 a.m.

8 DATED this 6th day of February, 2023.

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11 UNITED STATES MAGISTRATE JUDGE  
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